

## **REMARKS**

The present amendment is in response to the Office Action dated April 30, 2009. Claims 2—16 are now present in this case. By this amendment, claim 1 has been canceled and new claims 2—16 have been added.

### **Provisional Double Patenting Rejection**

Claim 1 stands provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as copending U.S. Patent Application No. 11/933,179. The only previously pending claim of the present application has been canceled and new claims added that are not coextensive in scope with the claim of U.S. Patent Application No. 11/933,179. Therefore, withdrawal of this ground for rejection is respectfully requested.

### **Rejection of claim 1**

Claim 1 stands rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,611,537 issued to Edens et al. Claim 1 has been canceled rendering this ground for rejection moot.

### **New Claims**

Applicant notes that Edens et al. teaches of a network adapter for logical ring network. Specifically, the system is designed to synchronize and maintain consistent time intervals between connected devices within a home network. This is done to provide fixed frames for information to be passed between devices. The reference teaches how to transform one of several standard network topologies (physical or star) in the logical ring network. (FIG 2a – 2d; column 15, line 4 to column 18, line 46).

Edens et al. does not teach or suggest that computing devices connected to the network comprise a content server module, a receiver module, or a browser module. Further, Edens et al. does not teach or suggest that the receiver module sends a receiver announcement to other computing devices

coupled to the network announcing implementation of the receiver module on a first computing device, each of the browser module and the content server module being unaware of the implementation of the receiver module before receiving the receiver announcement.

To the contrary, Edens et al. teaches that when the network initializes, it selects one device to act as a “network clock device” via a clock arbitration process by which all other devices synchronize their clocks to receive future data frames. (column 26, lines 37—44; column 48, lines 22—35). The logical ring network acts as a ‘loop’ in which all devices are connected and receive the same messages. (FIG. 7, column 24, lines 48--56). “Thus, as information propagates from device to device along the default network path, the delay from one device to the next may vary. Yet, the propagation time for a complete ‘revolution’ around the logical ring network remains constant.” (column 26, lines 3-8). Therefore, Edens et al. does not teach and has no need for the announcement of devices within the network because the ring always sends all information to all device within the logical loop.

New claims 2—13 recite a system for streaming audio comprising a first, second, and third computing device. The first computing device comprises a receiver module configured to send a receiver announcement to other computing devices coupled to the network announcing implementation of the receiver module on the first computing device. The second computing device comprises a browser module configured to send a browser announcement to other computing devices coupled to the network announcing implementation of the browser module on the second computing device. The third computing device comprises a content server module configured to send a content server announcement to other computing devices coupled to the network announcing implementation of the content server module on the third computing device. As explained above, Edens et al. does not teach or suggest these elements. Therefore, Edens et al. does not anticipate or render obvious the invention of claims 2—13.

New claim 14 recites a method of streaming audio performed by a computing system comprising a first computing device configured to implement a receiver feature, a second computing device configured to implement a browser feature, and a third computing device configured to implement a content server feature. The method includes sending a receiver announcement from the first computing device to the second and third computing devices announcing the implementation of the receiver feature on the first computing device, each of the browser feature and the content server feature being previously unaware of the implementation of the receiver feature before receiving the receiver announcement. The method also includes sending a browser announcement from the second computing device to the first and third computing devices announcing the implementation of the browser feature on the second computing device, each of the receiver feature and the content server feature being unaware of the implementation of the browser feature before receiving the browser announcement. The method further includes sending a content server announcement from the third computing device to the first and second computing devices announcing the implementation of the content server feature on the third computing device, each of the browser module and the receiver module being unaware of the implementation of the content server feature before receiving the content server announcement. As explained above, Edens et al. does not teach or suggest these elements. Therefore, Edens et al. does not anticipate or render obvious the invention of claims 14.

New claims 15 and 16 recite a method of streaming audio performed by a plurality of modules coupled to a network and each having a module type, the module type of at least one of the plurality of modules being a receiver type, the type of at least a first different one of the plurality of modules being a browser type, and the type of at least a second different one of the plurality of modules being a content server type. Before implementation, each of the plurality of modules are unaware of others of the plurality of modules. Upon implementation, each of the plurality of modules send implementation announcements to others of the modules over the network identifying the type of

the module. As explained above, Edens et al. does not teach or suggest these elements. Therefore, Edens et al. does not anticipate or render obvious the invention of claims 15 and 16.

In view of the above amendments and remarks, reconsideration of the subject application and its allowance are kindly requested. The applicant has made a good faith effort to place all claims in condition for allowance.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 04-0258 of Davis Wright Tremaine LLP.

If questions remain regarding the present application, the Examiner is invited to contact the undersigned at (206) 757-8021.

Respectfully submitted,  
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